IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP NO. 6502 of 2006 (O&M)

DATE OF DECISION: 5.2.2007

Balwant Singh ....Petitioner.

Versus

State of Punjab and others ....Respondents.

CORAM: HON'BLE MR.JUSTICE J.S. KHEHAR
HON'BLE MR. JUSTICE S.D. ANAND

PRESENT: Mr. V.S. Rana, Advocate
for the petitioner.

J.S. Khehar, J. (oral)

Through the instant writ petition, the petitioner seeks to impugn the order dated 29.7.2006 (Annexure P-7) vide which his prayer for a higher position in the seniority list has been declined.

A perusal of the impugned order dated 29.7.2006 reveals, that the same is based on the factum of the petitioner having been confirmed against the rank of Assistant Sub Inspector of Police with effect from 1.7.1993. On being asked, learned counsel for the petitioner acknowledged that the order of the petitioner's confirmation with effect from 1.7.1993 has never been assailed by the petitioner, either on the administrative side or before a judicial forum.

In view of the fact that the impugned order is based on the confirmation of the petitioner against the rank of Assistant Sub Inspector of Police with effect from 1.7.1993, we are satisfied, that the claim raised

by the petitioner, without first impugning the order confirming him with effect from 1.7.1993, is highly belated. As of now, even a civil suit is not competent against the order of his confirmation with effect from 1.7.1993, on account of the law of limitation.

In view of the above, the instant writ petition deserves to be dismissed for reasons of delay and laches. Ordered accordingly.

(J.S. Khehar)
Judge

(S.D. Anand)
Judge

February 05. 2007.
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